

FILED

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U. S. DISTRICT COURT,
EASTERN DISTRICT OF MO.
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

CORY R. BUCHANAN and
ANTHONY J. HARRY,

Defendants.

4: 13CR 000044 AGF/DDN
No.

INDICTMENT

COUNT 1

Health Care Fraud Scheme

Title 18, USC, Sections 1347(a)(1) and 2

The Grand Jury charges:

1. At all times relevant to this indictment, Blessed Hands Home Health Services, Inc. (“Blessed Hands”), was a home health care agency, located on North Broadway in St. Louis, Missouri. Since the early 1990s, Blessed Hands, then known as Home Health Services, has provided in-home services, including skilled nursing, personal care, homemaker, and respite services to elderly and disabled individuals.
2. At times relevant to this indictment, defendants Cory Buchanan and Anthony Harry were employees of Blessed Hands. They are the sons of co-schemer Rose Ray-Vasser.
3. At all times relevant to this indictment, Rose Ray-Vasser was the owner, administrator, and president of Blessed Hands.

4. At times relevant to this indictment, co-schemer LeTasha Harry was the corporate secretary and a supervisor/manager of Blessed Hands. LeTasha Harry is the daughter of Rose Ray-Vasser.

5. At times relevant to this indictment, Derrick Brown was an employee of Blessed Hands. The defendants and Derrick Brown are cousins.

Medicaid Program

6. Medicaid is a federal/state cost-sharing program that provides health care to people who are unable to pay for such care. The United States Department of Health and Human Services (DHHS), through the Centers for Medicare and Medicaid Services (CMS), administers the Medicaid Program, which is a federal health benefits program, as defined in Title 18, United States Code, Section 24.

7. The Missouri Medicaid Program, now called MO HealthNet Division, is administered by the Missouri Department of Social Services (DHSS), the state agency responsible for the coordination of health and social services in Missouri.

8. MO HealthNet Division provides health insurance coverage for Missouri residents with very low incomes and assets. MO HealthNet purchases and monitors medical services, including home health care services and personal care services provided in the home as an alternative to nursing home care.

9. To become a Medicaid provider and receive Medicaid reimbursement, Rose Ray-Vasser submitted a written application to MO HealthNet. On behalf of Blessed Hands, Rose Ray-Vasser agreed in the application, dated August 25, 1993, that “the provider . . . will comply with the Medicaid manual, bulletins, rules, and regulations as required by the Division of

Medical Services and the United States Department of Health and Human Services in the delivery of services and merchandise and in submitting claims for payment.” Rose Ray-Vasser also agreed that “Missouri Title XIX Medicaid manual, bulletins, rules, regulations and amendments thereto shall govern and control my delivery of service” and that Blessed Hands is “not entitled to Medicaid reimbursement if [Blessed Hands fails] to so comply.”

10. From 1993 to 2011, Blessed Hands submitted claims to Medicaid, which reimbursed Blessed Hands for the services purportedly provided to Medicaid recipients.

11. To receive Medicaid reimbursement, Blessed Hands had to document all home care services. Blessed Hands used a time sheet, which had to be signed by the patient receiving the service and the home health aide providing the service. The aide also had to record the date and the time the service began and ended.

12. From in or about 2005 to 2010, the defendants and others acting in concert with them devised and executed a fraud scheme to obtain Medicaid reimbursement for in-home services that were not rendered.

13. It was part of the scheme and artifice to defraud that in or about 2005, Rose Ray Vasser, LeTasha Harry, and others acting in concert with them entered into agreements with patients to pay them for the use of their names. Thereafter, the defendants and Blessed Hands submitted, and caused to be submitted, claims for services purportedly provided to patients, although they knew Blessed Hands had provided no services to the patients.

Patients L.C., T.C., A.G., and B.O.

14. It was part of the scheme and artifice to defraud that defendant Cory Buchanan was named as the aide on time sheets for Patients L.C., T.C., A.G., and B.O., although defendant

Cory Buchanan and Blessed Hands knew that he had not provided services to the patients. On some of the dates and times listed on the time sheets, defendant Cory Buchanan was employed as a bus driver and was actually driving a bus. Therefore, he could not have provided services to the patients.

Patient S.H.

15. It was part of the scheme and artifice to defraud that defendant Anthony Harry was named as the aide on time sheets for Patient S.H., although defendant Anthony Harry and Blessed Hands knew that he had not provided services. Patient S.H. received over \$9000 in payments from Blessed Hands for signing false time sheets.

Patients D.B. and G.K.

16. It was part of the scheme and artifice to defraud that LeTasha Harry and others paid Patients D.B. and G.K. for the use of their names. As part of the scheme, D.B. and G.K. signed time sheets, wherein they falsely stated that they had received services.

17. On or about May 2010, the Missouri Medicaid Fraud Control Unit (MFCU) began investigating Blessed Hands to determine if Blessed Hands had submitted false claims for services to Patients D.B. and G.K.

18. It was part of the scheme and artifice to defraud that on or about May 21, 2010, Rose Ray-Vasser, Derrick Brown, and others acting in concert with them created a document, entitled "Grievance Form For Clients/Aides," which was submitted to MFCU investigators. The signature of Rose Ray-Vasser appears on the document, which falsely states that Derrick Brown had provided services to Patients D.B. and G.K., although Rose Ray-Vasser and Derrick Brown knew no services had been provided.

19. It was part of the scheme and artifice to defraud that prior to July 2010, LeTasha Harry and Derrick Brown agreed that Derrick Brown would tell investigators that he had provided services to Patients D.B. and G.K. During subsequent interviews, Derrick Brown provided oral and written statements to the Missouri Department of Social Services, wherein he falsely stated that he had provided services to Patients D.B. and G.K.

20. It was part of the scheme and artifice to defraud that on or about July 26, 2010, defendant Anthony Harry and others acting in concert with him sent a letter by fax to the Missouri Department of Social Services, wherein they falsely stated that Derrick Brown had provided services to Patients D.B. and G.K. The letter listed defendant Anthony Harry as the person sending the letter.

21. On or about January 22, 2009, in the Eastern District of Missouri,

**CORY BUCHANAN
and
ANTHONY HARRY,**

the defendants herein, knowingly and willfully executed and attempted to execute, the above described scheme or artifice to defraud Medicaid, which is a health care benefit program, in connection with the delivery and payment for health care benefits, items, and services, that is, the defendants submitted, or caused to be submitted, a reimbursement claim for in-home services purportedly provided to Patient T.C. on January 22, 2009, when they knew that Patient T.C. had not received the home health care services reflected in the reimbursement claim.

All in violation of Title 18, United States Code, Sections 1347(a)(1) and 2.

A TRUE BILL.

FOREPERSON

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